

REMARKS

The Examiner rejected the claims 1-10 under 35 U.S.C. §112, first paragraph, because the Specification does not enable a layer of spacer material. The Examiner seems to imply that the language should be limited to the Ru layer. The Applicant submits that the Specification supports a plain reading of the claims. The claims recite spacer layer between two magnetic layers. This language is clearly supported by figure 3 of drawings. There is a layer 56 that occupies a space between two magnetic layers. Applicant therefore submits that the Specification supports the "spacer layer" recited in the claims.

The Examiner rejected claims 1-5 under 35 U.S.C. §103(a) as being unpatentable over Do in view of Takahashi. The Examiner rejected claims 6-10 under 35 U.S.C. §103(a) as being unpatentable over Do in view of Bian. The Examiner stated that it would be obvious to create the recited disk because the Do and Takahashi references disclose alloys with chromium. The claims recite a separate layer of chromium, part of which is diffused into a top magnetic layer. Neither Do nor Takahashi disclose a separate layer of chromium. The Applicant contends the PtCrB alloy of Do is not a chromium layer. Do discloses a layer constructed of an alloy that includes chromium. This is not a chromium layer. It is an alloy layer that includes chromium. Likewise, CoCrTa alloy of Takahashi is not a layer of chromium. Neither reference discloses or teaches to provide a separate chromium layer, wherein a portion of this layer is diffused into a top magnetic layer. For these reasons, the Applicant submits that the claims are patentably distinct from the prior art.


In view of the above it is submitted that the claims are in condition for allowance.

Reconsideration of the rejections is requested. Allowance of claims 1-10 at an early date is solicited.

Respectfully submitted,

IRELL & MANELLA LLP

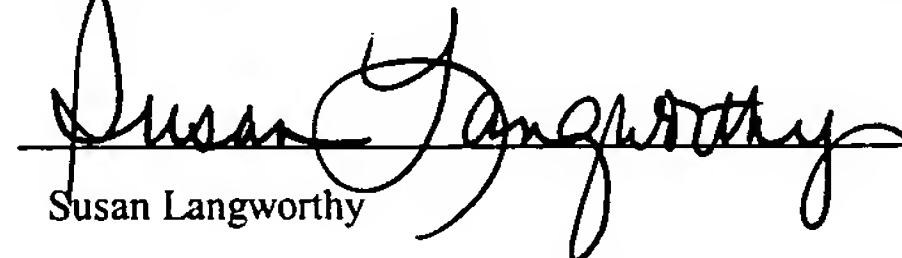
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Ben Yorks, Reg. No. 33,609

840 Newport Center Drive
Suite 400
Newport Beach, CA 92660
Telephone: (949) 760-0991

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I hereby certify that this correspondence is being deposited in the U.S. Mail, First Class, addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA. 22313-1450, on May 10, 2005.

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Susan Langworthy Date